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Mitchell v. City of Cedar Rapids

Supreme Court of Iowa - April 5, 2019 - N.W.2d - 2019 WL 1496945

Injured motorist and his wife brought action against city and police officer alleging negligence, assault and battery, intentional infliction of emotional distress, and seeking compensatory and punitive damages after officer fired gunshots at motorist during traffic stop, rendering motorist quadriplegic.

The District Court denied defendants' motion for protective order prohibiting disclosure of police investigative reports to media or other nonparties, but limited order compelling production to reports prepared within 96 of the incident, excluding police internal review records. Defendants appealed.

The Supreme Court of Iowa held that:

- Police investigative reports were confidential within the meaning of the Open Records Act both during investigation and after investigation closed;
- Trial court acted within its discretion by compelling disclosure of investigative reports or electronic communications generated or filed within 96 hours of incident; and
- District court did not abuse its discretion by denying defendants' motion for protective order.